

Please amend Claim 1 to read as follows:

1. (AMENDED) A topical composition for treating microbes, in order to inhibit or prevent the growth on the skin or scalp of said microbes, comprising:

a) from about 0.001% to about 10%, by weight of the composition, of an anti-microbial active selected from the group consisting of polyvalent metal salts of pyrithione;

b) from about 0.001% to about 10%, by weight of the composition, of a metal ion source selected from group consisting of zinc salts, copper salts, silver salts, nickel salts, cadmium salts, mercury salts, bismuth salts, and mixtures thereof; and

c) a topical carrier for the anti-microbial active and the metal salt;

wherein the weight ratio of the metal source to the anti-microbial active is from about 5:100 to about 5:1 and wherein at least 50% of the anti-microbial active is insoluble in the composition and further wherein the pH of the composition is greater than 7 when the metal ion source is a zinc salt.

Please add new claims 47-50 as follows:

47. (New) A topical composition for treating microbes, in order to inhibit or prevent the growth on the skin or scalp of said microbes, comprising:

a) from about 0.001% to about 10%, by weight of the composition, of an anti-microbial active selected from the group consisting of polyvalent metal salts of pyrithione;

b) from about 1.5% to about 10%, by weight of the composition, of a metal ion source selected from group consisting of zinc salts, copper salts, silver salts, nickel salts, cadmium salts, mercury salts, bismuth salts, and mixtures thereof; and

c) a topical carrier for the anti-microbial active and the metal salt;

wherein the weight ratio of the metal source to the anti-microbial active is from about 5:100 to about 5:1 and wherein at least 50% of the anti-microbial active is insoluble in the composition.

48. (New) A method of treating microbial infections on the skin or scalp, said method comprising the step of:

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cont.
- a) applying to the skin or scalp of a mammal in need of treatment, a safe and effective amount of the composition of Claim 1; and
  - b) leaving the composition on the skin or scalp for a sufficient amount of time to allow for efficacy.

49. (New) A method of treating microbial infections on the skin or scalp, said method comprising the step of:

- a) applying to the scalp of a mammal in need of treatment, a safe and effective amount of the composition of Claim 19.

50. (New) A method of treating microbial infections on the skin or scalp, said method comprising the step of:

- a) applying to the scalp of a mammal in need of treatment, a safe and effective amount of the composition of Claim 20.

### REMARKS

#### Application Amendments

By the amendments presented, Claim 1 has been amended to more specifically define the present invention. Support for the amendment to Claim 1 can be found in